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Contempt—Commitment for Refusal to Pay Alimony—Constitutional Law.—A commitment for contempt for wilful refusal to obey an order to pay suit money and temporary alimony pending a divorce suit is held, in *Ex parte Davis* (Tex.) 111 S. W. 394, 17 L. R. A. (N. S.) 1140, not to be an unconstitutional imprisonment for debt.

Foreign Corporations—Noncompliance with Local Law—Right to Defend Action.—A statute denying to a foreign corporation which has not complied with the local laws, the right to maintain an action in the state courts, is held, in *American Deforest Wireless Teleg. Co. v. Superior Court*, 153 Cal. 96 Pac. 15, 17 L. R. A. (N. S.) 1117, not to prevent its defending an action brought against it there.

Divorce—Remarriage in Another State—Validity.—A marriage by one of the parties to a divorce proceeding within the time prohibited by statute, which the statute expressly declares shall be void, whether contracted within or without the state, is held, in *State v. Fenn*, 47 Wash. 561, 92 Pac. 417, 17 L. R. A. (N. S.) 800, not to be void if contracted in a foreign country by whose laws it is valid after the party has acquired a domicil there, although it is held to be invalid if the parties went to the foreign country for the purpose of evading the local law and with the expectation of returning to their former home.

Street Railroads—Assault on Passenger by Motorman—Liability.—The liability of a street car company for an assault by its motorman upon a passenger who has left the car to stop a fight between the conductor and a passenger who has been ejected from the car is denied in *Zeccardi v. Yonkers R. Co.* 190 N. Y. 389, 83 N. E. 31, 17 L. R. A. (N. S.) 770.

Charities—Taxation—Foreign Missionary Society.—A local auxiliary of a foreign missionary society whose funds are devoted to enterprises in foreign countries or only a very small portion of which is expended within the state, from which no substantial local benefit of a public nature results, is held, in *Carter v. Whitcomb*, 74 N. H. 482, 69 Atl. 779, 17 L. R. A. (N. S.) 733, not to be within the meaning of a statute exempting from taxation the property of charitable associations devoted exclusively to the uses and purposes of public charity, on the theory that the legislature will not be presumed to have exempted institutions having no relation to the welfare of the inhabitants of the state.

Street Railroads—Injuries to Person Crossing Track—Contributory Negligence—Proximate Cause.—Although one driving along a street ahead of a street car which is running so slowly that he has time to cross the track without being struck is negligent in making the at-

tempt, it is held, in *Smith v. Connecticut R. & L. Co.* 80 Conn. 268, 67 Atl. 888, 17 L. R. A. (N. S.) 707, that his act is not the proximate cause of his resulting injury if, upon seeing his design, the motorman because of his inexperience becomes confused, releases the brake, and causes the car to increase its speed, so that it strikes the wagon, which it would not do if he used ordinary care.

Abutting Owner—Obstructions in Street—Injury to Pedestrian—Liability.—The abutting property owner is held, in *Kampmann v. Rothwell* (Tex.), 109 S. W. 1089, 17 L. R. A. (N. S.) 758, to be liable for injury to a pedestrian in falling over a covering which constitutes an obstruction to footmen, placed by an independent contractor over a repaired sidewalk, without signals or guard to protect the public from injury after dark.

Money Obtained by Fraud—Recovery—Limitations.—The fact that money is obtained by fraud is held, in *Boyd v. Beebe* (W. Va.) 61 S. E. 304, 17 L. R. A. (N. S.) 660, not to prevent the running of the statute of limitations, against an action to recover it back, from the consummation of the transaction, unless investigation is prevented by affirmative efforts on the part of the wrongdoer, mere silence not being sufficient.

Claim against Attorney for Money Collected—Limitations—Running of Statute.—In the absence of fraudulent concealment, it is held, in *Goodyear Metallic Rubber Shoe Co. v. Carpenter* (Vt.) 69 Atl. 160, 17 L. R. A. (N. S.) 667, that the the statute of limitation began to run against a claim upon an attorney for money collected by him from the time the money should have been paid over, which is within a reasonable time after the collection, under the circumstances of the case.

Contracts—Performance—Recovery of Pay.—One employed to build up a street to a certain level is held, in *Duncan v. Cordley* (Mass.), 85 N. E. 160, 17 L. R. A. (N. S.) 697, to be entitled to his pay when he has constructed the street to that level according to specifications, although, because of the action of the elements or the nature of the soil, it subsequently settles below that level

Municipal Corporation—Elevators in Police Station—Liability for Negligence.—The operation by a municipal corporation of an elevator in a police station is held, in *Wilcox v. Rochester*, 190 N. Y. 137, 82 N. E. 1119, 17 L. R. A. (N. S.) 741, to be part of its governmental duty, for negligence in which it is not liable to an individual injured thereby.